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June 23, 2005

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Attn: Mail Stop Amendment

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Art Unit 2872

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

Re:

U.S. Utility Patent Application

Application No. 10/808,360; Filed: March 25, 2004

For: **Optical Cube** Edlou et al. Inventors: Our Ref:

1857.0870001

Sir:

Transmitted herewith for appropriate action are the following documents:

- 1. Third Supplemental Information Disclosure Statement;
- 2. Form PTO-1449 (1 sheet) listing the cited documents;
- 3. Copies of the one (1) cited documents (AR1); and
- 4. Return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

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Commissioner for Patents June 23, 2005 Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Jason D. Eisenberg

Attorney for Applicants Registration No. 43,447

JDE/lvt Enclosures



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Confirmation No.: 4756

Edlou et al. Art Unit: 2872

Appl. No.: 10/808,360 Examiner: M. Sikder

Filed: March 25, 2004 Atty. Docket: 1857.0870001

For: Optical Cube

Third Supplemental Information Disclosure Statement

Mail Stop Amendment

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent

application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

Applicants have checked the appropriate boxes below.

- ☐ 1. Statement under 37 C.F.R. 1.704(d). Each item of information contained in this
 Information Disclosure Statement was cited in a communication from a foreign
 patent office in a counterpart application and this communication was not
 received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty
 days prior to the filing of this information disclosure statement.
- ☐ 3. Filing under 37 C.F.R. § 1.97(c). This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection, or Notice of Allowance, or an action that otherwise closes prosecution in the application.
 - a. Statement under 37 C.F.R. § 1.97(e)(1). I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than

three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).

- b. Statement under 37 C.F.R. § 1.97(e)(2). I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).
- c. Attached is our PTO-2038 Credit Card Payment Form in the amount of \$_____ in payment of the fee under 37 C.F.R. \(\) 1.17(p).
- 4. Filing under 37 C.F.R. § 1.97(d) This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee.

 Enclosed find our PTO-2038 Credit Card Payment Form in the amount of \$______ in payment of the fee under 37 C.F.R. § 1.17(p); in addition:
 - a. Statement under 37 C.F.R. § 1.97(e)(1). I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than

three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).

- b. Statement under 37 C.F.R. § 1.97(e)(2). I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).
- ∑ 5. Document AR1 is a Written Opinion from a counterpart foreign application, in which the following documents were cited: US 5,339,441, US 3,559,090, US 5,400,179, and JP 60-064304, which have already been cited in the present application in a previous Information Disclosure Statement. The Written Opinion is being cited for the convenience of the Examiner.
- 6. A concise explanation of the relevance of the non-English language document(s) appears below in accordance with 37 C.F.R. § 1.98(a)(3).
- ∑ 7. A copy of document AR1 is enclosed.
- 8. Copies of the documents were cited by or submitted to the Office in an IDS that complies with 37 C.F.R. § 1.98(a)-(c) in Application No.______, filed ______, which is relied upon for an earlier filing date under 35 U.S.C. § 120. Thus, copies of these documents are not attached. 37 C.F.R. § 1.98(d).

∑ 9. It is expected that the examiner will review the prosecution and cited art in the parent application no. 10/260,308, filed October 1, 2002, in accordance with MPEP 2001.06(b), and indicate in the next communication from the office that the art cited in the earlier prosecution history has been reviewed in connection with the present application.

It is respectfully requested that the Examiner initial and return a copy of the enclosed Form PTO-1449, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

Tason D. Eisenberg
Attorney for Applicants
Registration No. 43,447

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Date:

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	AL1						Yes No			
	AM1						Yes No			
	AN1						Yes No			
	AO1						Yes No			
	AP1						Yes No			
		OTHER DOCUMENTS	(Includin	g Author, Title, Date, I	Pertinent Pa	iges, etc.)				
EXAMINER INITIAL	DOC. REF.			CITATION						
	AR1	Written Opinion from Singapore Patent Appl. No. 200305771-8, 4 pages, dated May 17, 2005.								
	AS1									
	AT1									
EXAMINER	1				DA	DATE CONSIDERED				
EXAMINER: Initia	al if refere	nce considered, whether or	not citation is	in conformance with MPEP (609. Draw line	through citation if no	t in conformance			
and not considere 10277_1.DOC	d. Includ	e copy of this form with nex	t communicati	ion to Applicant.						